

# Notice of Allowability

Application No.

10/781,514

Examiner

Lori L. Coletta

Applicant(s)

STRONG, RUSSELL W.

Art Unit

3612

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on November 24, 2004.
2. ☒ The allowed claim(s) is/are 1-15, 18, 19, 21-23, 25-31.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John S. Artz on February 18, 2004.

The application has been amended as follows:

#### **SPECIFICATION:**

New paragraph has been added after paragraph [0020]:

[0020.1] FIGURE 8 is an enlarged view of the exemplary attachment of the surface support structure shown in FIGURE 7, illustrating the surface support structure being moved outwardly in anticipation of an impact event so as to enhance impact absorption and vehicle safety.

Paragraph [0036] has been replaced with the following paragraph:

[0036] Additionally, the guard rails 18a, 18b or structural surfaces can be reactive to sensed impact. For example, they may alter the rigidity of their mounting (connection to the body 14 of the vehicle 12) such as by allowing a decreased, but energy absorbing resistance to movement. One such mechanism for altering the rigidity is through the inclusion of a shock absorber 90, as shown in Figure 7, which allows the structure surfaces to move inwardly in the event of a vehicle impact. Alternatively, a rheomagnetic fluid can also be utilized to effect situation-specified resistance. In this instance, the fluid would be transformed from a solid structure to a fluid structure within a device to allow movement or flexibility upon demand. Additionally, similar to

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the front guard 34 and as shown in Figure 8, the shock absorber 90 can be adjusted for moving the rear structure surface 28a ~~they can move~~ outwardly in anticipation of the event of impact to provide further impact absorption and thereby increase safety of vehicle occupants. It is contemplated that the shock absorber 90 can be adjusted for moving various other suitable structural surfaces as desired. Moreover, the structural mounting can be accomplished by hydraulic, pneumatic or a variety of other suitable connections that allow for force absorption.

**CLAIMS:**

Claim 1. (Amended)

An external protection system for a vehicle having a passenger compartment, the external protection system comprising: a plurality of external guards in communication with said passenger compartment, said plurality of external guards being spaced a distance away from said passenger compartment such that a crush zone exists between said plurality of external guards and said passenger compartment; wherein at least one of said plurality of external guards is moveable for access to said passenger compartment; wherein at least one of said plurality of external guards is moveable for access to said passenger compartment, for vehicle service, for storage or for reconfiguration for accommodating external loads or racks for load carrying and wherein said at least one of said plurality of external guards moves in conjunction with an associated vehicle door as said vehicle door is moved between an open and closed position.

Claim 16. (cancelled)

Claim 31. (New) The system of claim 21, wherein said shock absorbing system is a rheomagnetic mechanism.

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2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Figure 7 has been deleted from the sheet containing Figures 3 and 4.

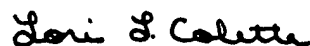
New Figure 8 has been added.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614. The examiner can normally be reached on Monday-Friday 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lori L. Coletta  
Primary Examiner  
Art Unit 3612

llc  
December 10, 2004

## Replacement Sheet

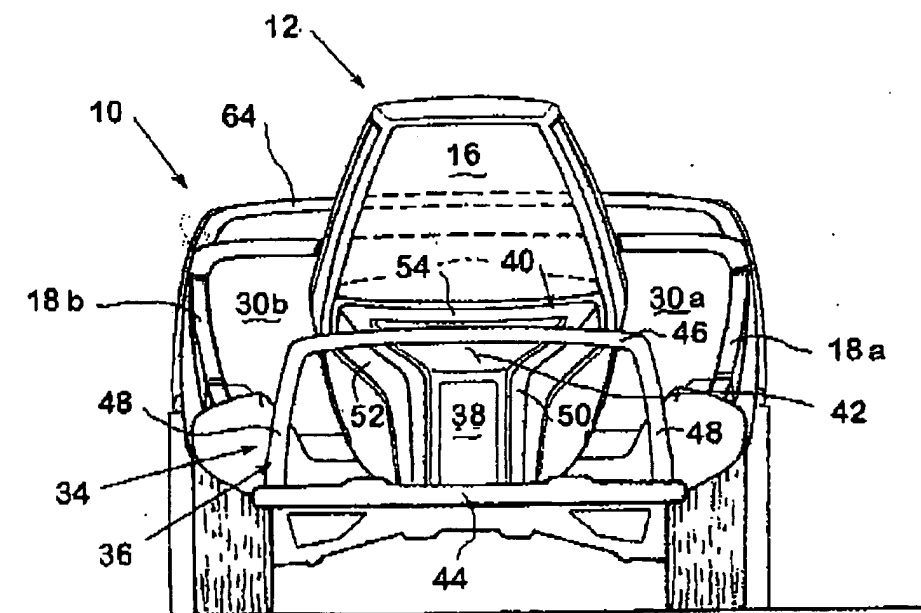
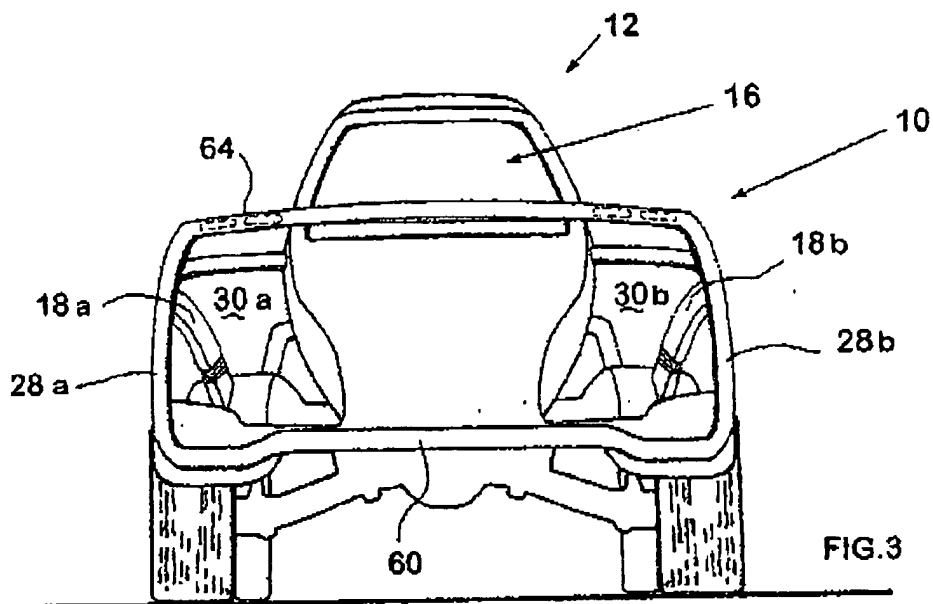


FIG.4

**Replacement Sheet**